

1 ALAN W. WESTBROOK, ESQ.  
2 Nevada Bar No. 6167  
3 PERRY & WESTBROOK  
4 A Professional Corporation  
5 1701 W. Charleston Blvd., #200  
6 Las Vegas, Nevada 89102  
7 Telephone: (702) 870-2400  
8 Facsimile: (702) 870-8220  
9 E-Mail: [awestbrook@perrywestbrook.com](mailto:awestbrook@perrywestbrook.com)  
10 Attorneys for Defendant  
11 AMERICAN AIRLINES, INC.

12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14 ALBERTO LOMBARDO, individually, )

15 Plaintiff, )

16 vs. )

17 AMERICAN AIRLINES, INC., Foreign )

18 Corporation; DOES I through X, inclusive; )

19 ROE BUSINESS ENTITIES I through X, )

20 inclusive; )

21 Defendants. )

CASE NO.: 2:14-cv-2095-JCM-NJK

22 **STIPULATION AND ORDER TO AMEND DISCOVERY PLAN FOR**  
23 **INITIAL EXPERT DISCLOSURES AND SCHEDULING ORDER**  
24 **(SECOND REQUEST)**

25 COMES NOW, the parties by and through their respective counsel and submit the  
26 following Stipulation pursuant to Fed. R. Div. P. 26(b), LR 6-1 and LR 26-4:

27 (a) **Discovery Completed to date:**

- 28 1. On February 5, 2015, Plaintiff served its' Initial Disclosure of Witnesses and Documents.

2. On February 11, 2015, Defendant served Plaintiff with its Initial Disclosure of Witnesses and Documents.
3. March 3, 2015, the court approved the Stipulated Discovery Plan and Scheduling Order.
4. April 7, 2015, Defendant served Plaintiff with Request for Admissions, Interrogatories and Request for Production of Documents.
5. April 7, 2015, Defendant requested Plaintiff sign HPPA-compliant medical records authorization for release of medical records, employment record authorization for release of employment records and Nevada Prescription Monitoring Program authorization for release of narcotic treatment records.
6. April 8, 2015, Defendant filed a Motion to Amend its Answer to assert additional affirmative defenses.
7. April 7, 2015, Plaintiff asked Defendant to produce employee witnesses for depositions.
8. On April 22, 2015, Defendant asked for and was granted a two week extension to respond to the written discovery.
9. May 5, 2015, Plaintiff answered Defendant's Interrogatories, Request for Production of Documents and Responses to Request for Admissions.
10. May 21, 2015, Defendant answered Plaintiff's Interrogatories and Request for Production of Documents.
11. May 28, 2015, Defendant served Plaintiff with its Second Interrogatories.
12. June 4, 2015, Plaintiff served Notice of Depositions of three of Defendant's

employees for July 15, 2015.

13. June 4, 2015, Plaintiff provided executed medical and prescription for release of medical and pharmacy records.

14. June 12, 2015, Plaintiff served Defendant with his Second Request for Production of Documents

15. June 16, 2015, Plaintiff served Defendant with his Third Request for Production of Documents

**(b) Discovery that remains to be completed:**

1. Secure Plaintiff's medical records;
2. Take deposition of Plaintiff;
2. Take depositions of the Defendants' pilot and flight attendants;
3. Take deposition of Plaintiff's treating physician;
4. Disclosure of experts; and
5. Depositions of experts.

**(c) Reasons discovery cannot be completed within previous time limits:**

The parties are required to disclose their initial experts on June 29, 2015. As of the date of this stipulation, neither the defense nor plaintiff experts have sufficient discovery in order to prepare proper reports and provide opinions as to the liability and damages in this case.

1. There are pending discovery requests which requested specific technical manuals and policies and procedures of Defendant which are due after the date for expert disclosure which impairs the ability of the plaintiff and defendant to prepare their liability experts.

2. The fact depositions have not been completed and there is no record, as of yet, as to what, if anything, happened during the subject air flight and, as such, the experts are unable to investigate or provide opinions. Three of the defendant's employees who are to be deposed, reside on the east coast and arrangements must be made for their travel based on their flight schedules.

3. The Plaintiff provided authorization for the defense to secure his medical and pharmacy record on June 4, 2015 and the defense has not had sufficient time to gather all relevant medical records for its expert to review and offer opinion as to the reasonableness or necessity of medical treatment.

**(d) Amended Schedule for Completing Remaining Discovery:**

	Current Schedule pursuant to June 24, 2015 Order	Amended Schedule
Discovery Deadline:	10/26/15	No change
Last Day to Amend/Add Parties:	05/29/15	No change
Disclosure of Initial Experts	06/29/15	08/27/15
Disclosure of Rebuttal Experts	09/28/15	No change
LR 26-3 Interim Status Report	06/29/15	No change
Dispositive Motion filing deadline	11/25/15	No change

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	Current Schedule pursuant to June 24, 2015 Order	Amended Schedule
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Joint Pre Trial Order Filing Date	12/24/15	No change
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Dated: June 26, 2015

Dated: June 26, 2015

PERRY & WESTBROOK

KEATING LAW GROUP

/s/Alan W. Westbrook

/s/John T. Keating

ALAN W. WESTBROOK, ESQ.

JOHN T. KEATING, ESQ.

Nevada Bar No. 6167

Nevada Bar No. 6373

1701 W. Charleston Blvd. #200

KEATING LAW GROUP

Las Vegas, Nevada 89102

9130 W. Russell Rd., Ste. 200

Telephone: (702) 870-2400

Las Vegas, NV 89148

Facsimile: (702) 870-8220

Telephone: (702) 228-6800

E-Mail: [awestbrook@perrywestbrook.com](mailto:awestbrook@perrywestbrook.com)

Facsimile: (702) 228-0443

Attorneys for Defendant

E-Mail: [jkeating@keatinglg.com](mailto:jkeating@keatinglg.com)

AMERICAN AIRLINES

Attorneys for Plaintiff

**ORDER**

IT IS SO ORDERED.

Dated this 29th day of June \_\_, 2015.

  
UNITED STATES MAGISTRATE JUDGE